

1. CAP INVESTMENTS LLC
(Applicant)

05-10-CZ10-6 (05-67)
BCC/District 10
Hearing Date: 3/9/06

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
1997	American Medical Plaza	Zone change from RU-1 to RU-5A.	BCC	Approved w/conds.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP**

L

APPLICANT'S NAME: CAP INVESTMENTS L.L.C.

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
05-10-CZ10-6 (05-67)	OCTOBER 20, 2005	CZAB10		05

REC: Approval, subject to the Board's acceptance of the proffered covenant.

<input type="checkbox"/> WITHDRAW:	<input type="checkbox"/> APPLICATION	<input type="checkbox"/> ITEM(S): _____
<input checked="" type="checkbox"/> DEFER:	<input type="checkbox"/> INDEFINITELY	<input checked="" type="checkbox"/> TO: <u>November 8, 2005</u> <input type="checkbox"/> W/LEAVE TO AMEND
<input type="checkbox"/> DENY:	<input type="checkbox"/> WITH PREJUDICE	<input type="checkbox"/> WITHOUT PREJUDICE
<input type="checkbox"/> ACCEPT PROFFERED COVENANT	<input type="checkbox"/> ACCEPT REVISED PLANS	
<input type="checkbox"/> APPROVE:	<input type="checkbox"/> PER REQUEST	<input type="checkbox"/> PER DEPARTMENT <input type="checkbox"/> PER D.I.C.
	<input type="checkbox"/> WITH CONDITIONS	
<input checked="" type="checkbox"/> OTHER: Deferred due to a lack of time.		

TITLE	M/S	NAME	YES	NO	ABSENT
VICE-CHAIRMAN		Juan Carlos ACOSTA			
MR.		Julio R. CACERES			
MR.		Manuel CASAS			
MR.		Jose GARRIDO (C.A.)			
MR.		Carlos A. MANRIQUE			
CHAIRMAN		George A. ALVAREZ			X

VOTE:

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EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: ABIGAIL PRICE-WILLIAMS

MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 10
MOTION SLIP

APPLICANT'S NAME: CAP INVESTMENTS LLC

6

REPRESENTATIVE:

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER		
05-10- CZ10-6 (05-67)	OCTOBER 11, 2005	CZAB10		05

REQ: RU-5A to OPD

REC: APPROVAL SUBJECT TO ACCEPTANCE OF PROFFERED COVENANT

☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): _____

☒ DEFER: ☐ INDEFINITELY ☒ TO: October 20, 2005 ☐ W/LEAVE TO AMEND

☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE

☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS

☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.

☐ WITH CONDITIONS

☒ OTHER: Due to no quorum.

TITLE	M/S	NAME	YES	NO	ABSENT
VICE-CHAIRMAN		Juan Carlos ACOSTA			X
MR.		Julio R. CACERES			
MR.		Manuel CASAS			
MR.		Jose GARRIDO (C.A.)			
MR.		Carlos A. MANRIQUE			
CHAIRMAN		George A. ALVAREZ			X
					X

VOTE:

EXHIBITS: ☐ YES ☒ NO

COUNTY ATTORNEY: DAVID HOPE

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANT: Cap Investments LLC

PH: Z05-067 (05-10-CZ10-6)

SECTION: 13-54-39

DATE: March 9, 2006

COMMISSION DISTRICT: 10

ITEM NO.: 1

A. INTRODUCTION

o **REQUEST:**

Rodolfo J. Dominguez, Ricardo Won, Felix Quevedo and Margarita Quevedo are appealing the decision of Community Zoning Appeals Board #10 on Cap Investments L. L. C., which approved the following:

RU-5A to OPD

o **SUMMARY OF REQUEST:**

The appellants are appealing the decision of the Community Zoning Appeals Board #10 which approved this application. The approved application will allow the applicant to change the zoning on the property from RU-5A, Semi-Professional Office District, to OPD, Office Park District.

o **LOCATION:**

The northwest corner of S.W. 119 Court & S.W. 42 Street, Miami-Dade County, Florida.

o **SIZE:** 3.4 Acres.

o **IMPACT:**

The rezoning of the property to OPD will allow the applicant to provide professional office services to the community. However, this application will bring additional traffic into the area.

B. ZONING HEARINGS HISTORY:

In 1997, the Board of County Commissioners (BCC) granted a rezoning on this site, pursuant to Resolution Z-48-97, from RU-1, Single Family Residential District, to RU-5A, Semi-Professional Office District. In addition, requests for a special exception for a proposed office development, to permit less setbacks, less spacing between buildings, and less landscape open space than required were also granted.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **institutional and public facility**.

Institutional and Public Facility

The Plan map illustrates, for information purposes only, the location of major institutional uses and utilities of metropolitan significance. Depicted are such uses as major hospitals, medical complexes, colleges, universities, regional water-supply, wastewater and solid waste utility facilities such as the resources recovery plant, major government office centers and military installations. Offices are also allowed in this map category. Internally integrated business areas smaller than 5 acres in size or up to 10 percent of the total floor area of an institutional, public facility or office use may also be approved in this map category. If the owner of land designated as Institutional and Public Facilities chooses to develop the land for a different use and no public agency intends to use the site for a public facility, the land may be developed for a use or a density comparable to and compatible with surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP.

Uses and Zoning Not Specifically Depicted on the LUP Map:

Within each map category numerous land uses, zoning classifications and housing types may occur. Many existing uses and zoning classifications are not specifically depicted on the Plan map. This is due largely to the scale and appropriate specificity of the countywide LUP map, graphic limitations, and provisions for a variety of uses to occur in each LUP map category. In general, 5 acres is the smallest site depicted on the LUP map, and smaller existing sites are not shown. All existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning (a) is found through a subsequent planning study, as provided in Land Use Policy 4E, to be inconsistent with the criteria set forth below; and (b) the implementation of such a finding will not result in a temporary or permanent taking or in the abrogation of vested rights as determined by the Code of Miami-Dade County, Florida. The criteria for determining that an existing use or zoning is inconsistent with the plan are as follows: 1) Such use or zoning does not conform with the conditions, criteria or standards for approval of such a use or zoning in the applicable LUP map category; and 2) The use or zoning is or would be incompatible or has, or would have, an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. Also deemed to be consistent with this Plan are uses and zoning which have been approved by a final judicial decree that has declared this Plan to be

invalid or unconstitutional as applied to a specific piece of property. The presence of an existing use or zoning will not prevent the County from initiating action to change zoning in furtherance of the Plan map, objectives or policies where the foregoing criteria are met. The limitations outlined in this paragraph pertain to existing zoning and uses. All approval of new land uses must be consistent with the LUP map and the specific land use provisions of the various LUP map categories, and the objectives and policies of this Plan. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning.

D. NEIGHBORHOOD CHARACTERISTICS:

<u>ZONING</u>	<u>LAND USE PLAN DESIGNATION</u>
<u>Subject Property:</u>	
RU-5A; single-family residences	Institutional & Public Facility
<u>Surrounding Properties:</u>	
NORTH: RU-1; single-family residences	Low Density Residential, 2.5 to 6 du
SOUTH: EU-1; single-family residences	Agriculture
EAST: BU-2; Kendall Medical Complex	Institutional & Public Facility
WEST: RU-1; single-family residences	Low Density Residential, 2.5 to 6 du

The subject parcel is located on the northwest corner of S.W. 119 Court & S.W. 42 Street. The area where the subject property lies is characterized by single-family homes. The Kendall Medical Complex lies immediately east of the parcel.

E. SITE AND BUILDINGS:

Site Plan Review:	(Plans submitted)
Location of Buildings:	Acceptable
Compatibility:	Acceptable
Landscape Treatment:	Acceptable
Open Space:	Acceptable
Buffering:	Acceptable
Access:	Acceptable
Parking Layout/Circulation:	Acceptable
Visibility/Visual Screening:	Acceptable
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(F): In evaluating an application for a **district boundary change**, the Board shall take into consideration, among other factors the extent to which:

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection*
Parks	No objection
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment

*Subject to conditions indicated in their memoranda.

H. ANALYSIS:

Rodolfo J. Dominguez, Ricardo Won, Felix Quevedo and Margarita Quevedo are appealing the decision of Community Zoning Appeals Board (CZAB) #10, which on November 8, 2005 approved this application by a vote of 4 – 2 pursuant to Resolution CZAB10-85-05. The CZAB-10 approved a district boundary change request from RU-5A to OPD. The appellants state on the appeal application that, among other things, the approved zone change is incompatible with the surrounding residential area. They also allege that, among other things, the Community Zoning Appeals Board deprived objectors of procedural due process, failed to take into account substantial competent evidence provided, and that the application would otherwise violate the Miami-Dade County Zoning Code, Miami-Dade County Ordinances, the Florida Statutes, the Florida common law, and the United States and Florida Constitutions. Staff notes that the Comprehensive Development Master Plan (CDMP) indicates that all existing uses and zoning are consistent with the Land Use Plan (LUP) map. As such, the existing RU-5A zoning is consistent with the CDMP. Therefore, should the Board desire to retain the existing zoning on the property, the decision would also be consistent with the CDMP.

The applicant, Cap Investments LLC, is seeking a district boundary change on the subject property from RU-5A, Semi-Professional Office District, to OPD, Office Park District. The Office Park District standards foster the development of office facilities surrounded by large areas reserved for landscape open space. Uses permitted in the OPD cater to professionals involved in medical fields and laboratories for scientific and industrial research. Certain accessory uses are also permitted which include, but are not limited to auditoriums, eating establishments such as coffee shops and sandwich shops, as well as newsstands, tobacco shops, and private clubs. The applicant has submitted plans depicting the development of this site with an eight-story and four-story office buildings flanked by a six-story parking garage. The proposed development complies with the zoning regulations of the Miami-Dade County Code as applied to the OPD zoning district including setback requirements, as well as the buildings' height regulation which is permitted to reach a maximum of eight (8) stories or 100', whichever is less. Additionally, the proposed plans show compliance with the other requirements of the OPD district regulations. Said zoning district requires that the floor area ratio be a maximum of thirty one-hundredths (0.30) at one (1) story and may be increased by eight one-hundredths (0.08) for each additional story. This project proposes a floor area ratio of 0.83 where 0.84 is the maximum allowed. Furthermore, the OPD district regulations require that the landscaped open space be provided unencumbered with any structure or off-street parking, ingress or egress drives or private drives. Said regulations require, among other things, that the minimum landscaped open space shall be increased by three (3) percent for each additional story or part thereof above two (2) stories, based on the tallest structure on the property. In this instance, the minimum required and the proposed landscaped open space is 61%. As depicted in the submitted plans, extensive landscaping will be provided throughout the site, specifically around the proposed parking garage and the northwesterly area of the property fronting Bird Road, where the buffer is 50' wide. This buffer will minimize the visual impact generated by the proposed buildings on adjoining and adjacent uses. Additionally, the plans depict parking garage openings to

be covered with a screen material that will help to reduce the garage's light spillage onto adjacent properties. The applicant has proffered a covenant limiting the development of the site to the plans submitted. The irregularly shaped subject property is located on the northwest corner of S.W. 119 Court and S.W. 42 Street, in an area characterized by single-family homes which are located to the north, west, and south and the Kendall Medical Complex which is located immediately to the east.

The Department of Environmental Resources Management (**DERM**) has **no objections** to this application and has indicated that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. However, the applicant will have to comply with all conditions as set forth by DERM in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application. However, their memorandum states that driveways to SW 40 Street must meet current Florida Department of Transportation (F.D.O.T.) access management requirements and that the applicant will need to contact the F.D.O.T. district office for driveway and drainage permits. The Public Works Department memorandum also indicates that road dedications and improvements will be accomplished through the recording of a plat. Additionally, this application meets traffic concurrency criteria and, although it will generate **184** additional **PM** daily peak hour vehicle trips, the distribution of these trips to the adjacent roadways will not exceed the acceptable levels of service (LOS), which are at LOS "B" and "E".

Approval of this application will allow the applicant to provide professional services to the community. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **institutional and public facility** use which permits such uses as major hospitals, medical complexes, colleges, universities, regional water-supply, wastewater and solid waste utility facilities such as resource recovery plants, major government office centers and military installations. Offices are also allowed in this map category. The CDMP's institutional and public facility interpretative text indicates that if the owner of land designated as institutional and public facilities chooses to develop the land for a different use and no public agency intends to use the site for a public facility, the land may be developed for a use or a density comparable to and compatible with surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP. As proposed, the office complex with its four and eight-story buildings and six-story parking garage would be **compatible** with the adjacent existing medical center (Kendall Regional Medical Complex and Hospital) to the east of the subject site which was approved in 2004, pursuant to Resolution Z-8-04, for an expansion onto additional property to the west. The approved plans depict a six-story parking structure located on the west side of the site and a four-story addition to the existing hospital located to the south. Since the CDMP also allows offices in this LUP map category, the proposal is **consistent** with the CDMP. Additionally, abundant landscaping surrounding the site, as depicted in the landscaping plan, will minimize the intensity of the proposed medical office complex, and buffer it from the surrounding residential properties. Large trees, palms, and shrubs will be incorporated within the required 50' setback area between the north and west property lines and the proposed buildings that, in conjunction with the existing 100' of right-of-way (Bird Road) and required landscape open space, will lessen the impact generated by said use on residential

properties to the north and west. Similarly, abundant landscaping will be provided within the 50' setback area on the south side of the site that, together with the existing 50' right-of-way (SW 42 Street) and an approximately 50' wide canal, will minimize the impact generated by the use on the residential properties to the south. In addition, the properties to the south are located in an area known as "Horse Country" which is characterized by single-family residences. Equestrian activities are predominant in this area. The residences to the immediate south are situated on the southern halves of their lots and have a 140' wide canal maintenance easement on the north half of the each lot adjacent to the 50' wide canal, resulting in approximately 290 feet of distance between the proposed structures and the residences. In staff's opinion, the abundant buffering minimizes the impact of the proposed use from the surrounding residences. Noting the aforementioned, staff is of the opinion that because offices are allowed in this map category, the proposed OPD zoning would be **compatible** with the surrounding areas and consistent with the LUP map of the CDMP.

When considering district boundary changes, the Board shall hear and grant or deny applications by taking into consideration if the proposed development will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts, the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment, and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development. The Board shall consider if the development will have a favorable or unfavorable impact on the economy of Miami-Dade County, if it will efficiently utilize or unduly burden water, sewer, solid waste disposal, recreation, education, public transportation facilities which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways. The approval of this application would not adversely impact public services.


The applicant has submitted a site plan showing proposed building types that are designed with well-articulated facades using plentiful fenestration and adopted Mediterranean architectural motifs. Parking areas are buffered from adjacent uses by large landscaped areas provided along the site's perimeter. A number of important thoroughfares such as the South Florida Turnpike and Bird Road (SW 40 Street) can be used to access the proposal. In staff's opinion, this project will have a favorable impact on the economy of Miami-Dade County as the office complex will provide more tax revenue, and the development will not burden water, sewer, solid waste disposal, recreation or other public services. The design of this proposal is in keeping with the existing medical development to the east, consisting of the Kendall Regional Medical Complex and Hospital. Architecture and landscaped architectural elements are used to create a project that is compatible with its surroundings and visually impacts, in a positive manner, the redevelopment of this site. Notwithstanding the aforementioned, the appellants claim that "the zone change from RU-5A to OPD would constitute an unconstitutional taking of private property without just compensation." As such, this application must be deferred to allow the Executive Council of the Developmental Impact Committee (DIC) to make a recommendation to this Board regarding the takings claim.

I. **RECOMMENDATION:**

Deferral.

J. **CONDITION:** None.

DATE INSPECTED: 08/05/05
DATE TYPED: 08/25/05
DATE REVISED: 09/01/05; 09/02/05; 09/09/05; 09/22/05; 10/12/05; 11/01/05;
12/29/05; 01/05/06; 01/10/06; 01/17/06; 01/18/06; 02/23/06;
02/28/06
DATE FINALIZED: 02/28/06
DO'QW:AJT:MTF:LVT:GB:JV


Diane O'Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

Memorandum



Date: April 22, 2005

To: Diane O'Quinn-Williams, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Acting Assistant Director
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name of the sender.

Subject: C-10 #Z2005000067
CAP Investments, LLC.
SW 119th Court & SW 42nd Street
DBC RU-5A to OPD
(RU5A) (3.4 Ac.)
13-54-39

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit must be obtained prior to re-development of site, final plat and public works approval of paving and drainage plans. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 25-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Hazardous Materials Management:

Due to the nature of uses allowed in the proposed zoning classification, the applicant may be required to obtain DERM approval for management practices to control the potential discharge and spillage of pollutants associated with some land uses permitted in the requested zoning district. The applicant is advised to contact the DERM Industrial Facilities Section concerning required management practices.

Operating Permits:

Section 24-18 of the Code authorizes DERM to require operating permits from facilities that could be a source of pollution. The applicant should be advised that due to the nature of some land uses permitted under the proposed zoning classification, operating permits from DERM might be required. It is therefore suggested that the applicant contact DERM concerning operating requirements.

Pollution Remediation:

The subject property is not currently or historically permitted with DERM and there are no records of current or historical contamination assessment/remediation issues on the property. A search within 500 feet of the property identified the following site with records of current contamination assessment/remediation issues:

Mobil
11870 Bird Road
UT-137

Petroleum contaminated site. Currently in a state administered cleanup program.

Air Quality Preservation:

Any involved demolition will require an asbestos survey and any required asbestos abatement shall be done prior to demolition.

Wetlands:

The subject site is not located in jurisdictional wetlands as defined in Sections 24-5 and 24-48 of the Code; therefore, a Class IV Permit for work in wetlands will not be required by DERM.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Tree Preservation:

The subject property contains tree resources; Section 24-49 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. A tree survey showing all the tree resources on-site will be required prior to reviewing the tree removal permit application. The applicant is aware of DERM preservation requirements and has submitted a site plan of record entitled "Kendall Medical Park Proposed Bird Road Facility" Existing Tree Plan, prepared by Laura Llerena and Associates, that provides for the preservation of the specimen-sized trees on the property.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z
Ron Connally, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: CAP INV. LLC

This Department has no objections to this application.

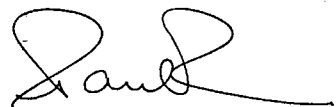
Driveways to SW 40 St. must meet current F.D.O.T. access management requirements; contact the district office at 305-470-5367 for driveway and drainage permits.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 184 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9106	SW 40 St. w/o HEFT	E	E
9776	SW 127 Ave. s/o Bird Dr. Ext.	B	B
9108	Bird Dr. Ext. w/o SW 127 Ave.	B	B

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

18-MAY-05

Memorandum



Date: 07-FEB-06

To: Diane O'Quinn Williams, Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue Department

Subject: Z2005000067

Fire Prevention Unit:

Boundary change not applicable to MDFR road access requirements.

Service Impact/Demand:

Development for the above Z2005000067
located at THE NORTHWEST CORNER OF SW 119 CT & SW 42 ST
in Police Grid 1585 is proposed as the following:

_____	dwelling units	_____	square feet
residential		industrial	
125,800	dwelling units	_____	square feet
Office		institutional	
_____	square feet	_____	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: 26.4 alarms-annually.

Existing services:

The Fire station responding to an alarm in the proposed development will be:

Station 9, Kendall, located at 7777 SW 117 Avenue, equipped with an ALS Engine and Rescue unit and permanently staffed by seven (7) paramedics/firefighters

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:

None

Fire Planning Additional Comments:

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY DB

AMOUNT OF FEE 1,555.62

RECEIPT # _____

DATE HEARD: 11.8.05

BY CZAB # 108505

RECEIVED
NOV 28 2005

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY DB

DATE RECEIVED STAMP

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. CZAB108505

05-067

Filed in the name of (Applicant) CAP Investments, LLC

Name of Appellant, if other than applicant Rodolfo J. Dominguez, Ricardo Won, Felix Quevedo, and Margarita Quevedo

Address/Location of APPELLANT'S property:

11941 S.W. 43rd Street, Miami (Dominguez), 11955 S.W. 43rd Street, Miami (Won), 11947 S.W. 43rd Street, Miami (Quevedo).

Application, or part of Application being Appealed (Explanation):

Entire appealable application

Appellant (name): Rodolfo J. Dominguez, Ricardo Won, Felix Quevedo, and Margarita Quevedo, hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language)

See attached pages 1 and 2.

APPELLANT MUST SIGN THIS PAGE

Date: 28th day of November, year: 2005

Signed _____

CHARLES M. BARON, ESQ., Attorney for
Print Name
Appellants .. Fla. Bar No. 509825

Mailing Address
1380 N.E. Miami Gardens Dr., Suite 206
North Miami Beach, FL 33179

(305) 944-5656 (305) 944-5756
Phone Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an
association or other entity, so indicate:

Representing

Signature

Print Name

Address

City State Zip

Telephone Number

Subscribed and Sworn to before me on the _____ day of _____, year _____

Notary Public

(stamp/seal)

Commission expires:

APPELLANT'S AFFIDAVIT OF STANDING

(must be signed by each Appellant)

STATE OF Florida

COUNTY OF Hiami-Dade

Before me the undersigned authority, personally appeared Rodolfo Dominguez (Appellant) who was sworn and says that the Appellant has standing to file the attached appeal of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☒ 1. Participation at the hearing
☐ 2. Original Applicant
☐ 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury, and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Eric Ferns

Signature

Eric Ferns

Print Name

Glenda Balmaceda

Signature

Glenda Balmaceda

Print Name

Rodolfo J. Dominguez

Appellant's signature

Rodolfo J. Dominguez

Print Name

Sworn to and subscribed before me on the 18th day of November, year 2005.

Appellant is personally know to me or has produced FLDL # 0552-720-63-365-0 as identification.

Laura J. Valdes

Notary
(Stamp/Seal)

Commission Expires: May 14, 2006

APPELLANT'S AFFIDAVIT OF STANDING

(must be signed by each Appellant)

STATE OF Florida

COUNTY OF Harris-Dade

Before me the undersigned authority, personally appeared Ricardo Won
(Appellant) who was sworn and says that the Appellant has standing to file the attached appeal
of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community
Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☒ 1. Participation at the hearing
☐ 2. Original Applicant
☐ 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury,
and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

E. Feinblatt

Signature

Eric Feinblatt

Print Name

Glenda Balmaeda

Signature

Glenda Balmaeda

Print Name

[Signature]

Appellant's signature

Ricardo Won

Print Name

Sworn to and subscribed before me on the 18th day of November, year 2005.

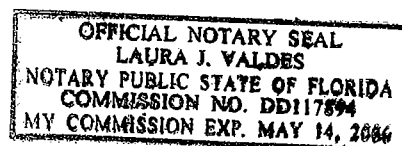
Appellant is personally know to me or has produced FL DC # WSO-724-62-390-0 as
identification.

[Signature]

Notary

(Stamp/Seal)

Commission Expires: May 14, 2006



APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF Florida

COUNTY OF Hiami-Dade

Before me the undersigned authority, personally appeared Felix P. Quevedo
(Appellant) who was sworn and says that the Appellant has standing to file the attached appeal
of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community
Zoning Appeals Board matter because of the following:

(Check all that apply)

- ☒ 1. Participation at the hearing
☐ 2. Original Applicant
☐ 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury,
and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Fernando Rodriguez
Signature

Fernando Rodriguez
Print Name

[Signature]
Signature

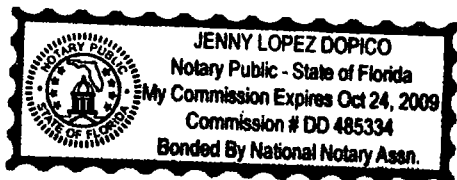
Pedro Hernandez
Print Name

[Signature]
Appellant's signature

Felix P. Quevedo
Print Name

Sworn to and subscribed before me on the 28 day of NOVEMBER, year 2005

Appellant is personally know to me or has produced _____ as
identification.



[Signature]
Notary
(Stamp/Seal)

Commission Expires: 10-24-09

APPELLANT'S AFFIDAVIT OF STANDING
(must be signed by each Appellant)

STATE OF Florida

COUNTY OF Miami-Dade

Before me the undersigned authority, personally appeared Margarita H. Quevedo
(Appellant) who was sworn and says that the Appellant has standing to file the attached appeal
of a Community Zoning Appeals Board decision.

The Appellant further states that they have standing by virtue of being of record in Community
Zoning Appeals Board matter because of the following:

(Check all that apply):

- ☒ 1. Participation at the hearing
☐ 2. Original Applicant
☐ 3. Written objections, waivers or consent

Appellant further states they understand the meaning of an oath and the penalties for perjury,
and that under penalties of perjury, Affiant declares that the facts stated herein are true.

Further Appellant says not.

Witnesses:

Fernando Rodriguez
Signature

Fernando Rodriguez
Print Name

[Signature]
Signature

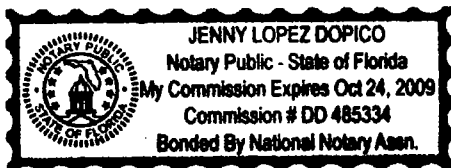
Pedro Hernandez
Print Name

[Signature]
Appellant's signature

Margarita H. Quevedo
Print Name

Sworn to and subscribed before me on the 28 day of November, year 2005

Appellant is personally know to me or has produced _____ as
identification.



[Signature]
Notary
(Stamp/Seal)

Commission Expires: 10-24-09

GROUND AND REASONS SUPPORTING THE REVERSAL OF THE RULING OF THE
COMMUNITY ZONING APPEALS BOARD

(Hearing No. CZAB108505/Hearing Date 11/8/05/Applicant Cap Investments, LLC):

The zone change from RU-5A to OPD:

1. is incompatible and inconsistent with the adjacent surrounding areas and with the actual development of the area - with regard both to Appellants' properties and to other adjacent areas;
2. would not serve a public benefit;
3. would have an unfavorable impact on the environmental and natural resources of Miami-Dade County;
4. would unduly burden water, sewer, solid waste disposal, recreation, or other necessary public facilities which have been constructed or planned and budgeted for construction;
5. would unduly burden or affect public transportation facilities, including mass transit, roads, streets, and highways which have been constructed or planned and budgeted for construction;
6. would harmfully increase traffic congestion, unduly and adversely impacting the lives of homeowners in the adjacent areas;
7. would impair/reduce safety from fire, panic and other dangers;
8. would harm health, safety, morals, convenience and the general welfare and would otherwise be adverse to the public interest;
9. would fail to provide adequate light and air;
10. would cause overcrowding of land and water;
11. is not suitable for the particular uses sought by the applicant;
13. would cause a substantial decrease in value of nearby buildings and private property;
14. is a totally inappropriate use of the land and water;
15. would have an unfavorable impact on the economy;
16. is in conflict with the principle and plan/CDMP for the development of Miami-Dade County;

17. would constitute spot zoning;
18. would constitute an unconstitutional taking of private property without just compensation;
19. does not comply with the concurrency requirements for levels of service;
20. would detrimentally affect appellants' and other adjacent properties due to the height of the buildings to be constructed by applicant;
21. would invade the privacy of appellants and otherwise detrimentally affect the use and enjoyment of appellants' and other adjacent properties due to the views from the buildings to be constructed by applicant overlooking the homes and yards of said properties;
22. would totally destroy the aesthetic beauty of appellants' and other adjacent properties;
23. would cause excessive flooding of appellants' and other adjacent properties because the project to be constructed by applicant would cause the canal between applicant's and adjacent properties to overflow;
24. would otherwise violate the Miami-Dade County Zoning Code, Miami-Dade County Ordinances, the Florida Statutes, the Florida common law, and the United States and Florida Constitutions;
25. should also be reversed because there is no competent substantial evidence in support of the application, and there is competent substantial evidence in support of denial of the application;
26. should also be reversed because the applicant/developer made material misrepresentations in the application and/or presentation to the Community Council;
27. should also be reversed because the Community Council deprived objectors of procedural due process and otherwise failed to lawfully conduct a public hearing on the application;
28. should also be reversed because one or more Community Council members voting in favor of the application is/are unqualified to sit on the Community Council for the subject area, and a one-vote change in the voting would have caused the application to fail.

RESOLUTION NO. CZAB10-85-05

WHEREAS, **CAP INVESTMENTS L. L. C.** applied for the following:

RU-5A to OPD

SUBJECT PROPERTY: Lots 1 – 14, Block 16, SECOND ADDITION TO SOUTHERN ESTATES, Plat book 73, Page 15.

LOCATION: The Northwest corner of S.W. 119 Court & S.W. 42 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

1.) **Site Plan**

The Property shall be developed substantially in accordance with that plan submitted with the declaration entitled "Kendall Medical Park Proposed Bird Road Facility," as prepared by Naya Architects, dated, signed, and sealed July 28, 2005, and consisting of 12 sheets.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to OPD would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the proffered Declaration of Restrictions should be accepted, and

WHEREAS, a motion to accept the proffered Declaration of Restrictions and to approve the application was offered by Jose Garrido, seconded by Carlos A. Manrique, and upon a poll of the members present the vote was as follows:

Juan Carlos Acosta	nay	Jose Garrido	aye
Julio R. Caceres	nay	Carlos A. Manrique	aye
Manuel Casas	aye		

George A. Alvarez aye

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 10, that the requested district boundary change to OPD be and the same is hereby approved and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the approval herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 8th day of November, 2005.

Hearing No. 05-10-CZ10-6
Is

STATE OF FLORIDA

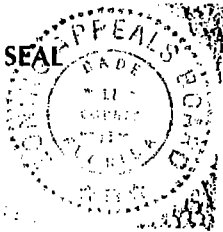
COUNTY OF MIAMI-DADE

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-85-05 adopted by said Community Zoning Appeals Board at its meeting held on the 8th day of November 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 18th day of November 2005.



Luis Salvat, Deputy Clerk (2678)
Miami-Dade County Department of Planning and Zoning



TEAM METRO

ENFORCEMENT HISTORY

CAP INVESTMENTS LLC

THE NORTHWEST CORNER OF SW
119 CT & SW 42 ST

APPLICANT

ADDRESS

Z2005000067

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

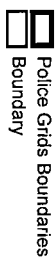
FEBRUARY 01, 2006

On January 24, 2006 an inspection was conducted at 12040 SW 40 STREET and the property was found to be vacant and open. This information was referred to Minimum Housing for corrective action. CMS # 200609000114 was opened by Minimum Housing.

No other violations were observed at this time.

CAP INVESTMENTS LLC

RICHARD MILLER



MDPD Crime Analysis System
February 23, 2006
Data in this document represents
successfully geocoded attributes.





Miami-Dade Police Department

Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2004 and 2005



Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("1585")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55")))) and Common

2004 2005

Grid	Signal Code	Signal Description		
1585	13	SPECIAL INFORMATION/ASSIGNMENT	60	61
	14	CONDUCT INVESTIGATION	69	75
	15	MEET AN OFFICER	248	177
	16	D.U.I.	1	1
	17	TRAFFIC ACCIDENT	90	105
	18	HIT AND RUN	22	25
	19	TRAFFIC STOP	15	18
	20	TRAFFIC DETAIL	8	17
	21	LOST OR STOLEN TAG	5	4
	22	AUTO THEFT	6	10
	25	BURGLAR ALARM RINGING	23	19
	26	BURGLARY	19	27
	27	LARCENY	16	22
	28	VANDALISM	3	4
	29	ROBBERY	1	3
	30	SHOOTING	0	5
	32	ASSAULT	45	42
	33	SEX OFFENSE	2	2
	34	DISTURBANCE	39	46
	36	MISSING PERSON	5	24
	37	SUSPICIOUS VEHICLE	3	2
	38	SUSPICIOUS PERSON	4	0
	39	PRISONER	3	1
	41	SICK OR INJURED PERSON	16	17
	43	BAKER ACT	1	6
	44	ATTEMPTED SUICIDE	0	3



Miami-Dade Police Department

Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2004 and 2005



Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("1585")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55"))) and Common

		2004		2005
Grid	Signal Code	Signal Description		
1585	45	DEAD ON ARRIVAL		54
	47	BOMB OR EXPLOSIVE ALERT		1
	49	FIRE		1
	52	NARCOTICS INVESTIGATION		2
	54	FRAUD		8
Total Signals for Grid 1585 :		770		781



MIAMI-DADE POLICE DEPARTMENT
Zoning Hearing Report Part I and Part II Crimes w/o AOA
For Specific Grids
For 2004 and 2005



Miami-Dade Police Department

Grid(s): 1585

2004 2005

Grid 1585					
Part I					
130A		AGGRAVATED ASSAULT		10	1
2200		BURGLARY		3	5
2400		MOTOR VEHICLE THEFT		3	5
230A		POCKET PICKING		1	0
1200		ROBBERY		0	1
230G		SHOPLIFTING ALL OTHERS		24	21
230F		SHOPLIFTING FROM A MOTOR VEHICLE		14	20
Part I TOTAL				55	53
Part II					
2700		EMBEZZLEMENT		0	1
260A		FRAUD CON/SWINDLE/FALSE PRET.		1	2
260B		FRAUD CREDIT CARD/ATM		0	1
260D		IMPERSONATION		2	3
350A		NARCOTIC BUY/SELL/POSS/IMPORT/MANUF		0	1
130B		SIMPLE ASSAULT		7	10
Part II TOTAL				10	18
Grid 1585 TOTAL				65	71

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: CAP Investments, LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Yvette Almeida</u>	<u>100%</u>
<u>7200 NW 7 Street, Suite 200</u>	
<u>Miami, FL 33126</u>	

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where the principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

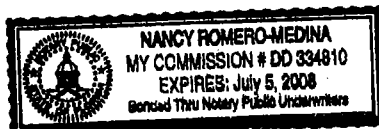
Signature: _____

(Applicant)

Sworn to and subscribed before me this 3rd day of March, 2005. Affiant is personally known to me or has produced known to me as identification.

Nancy Romero-Medina
Notary Public

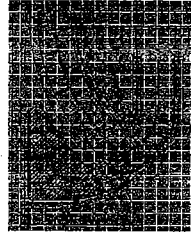
My commission expires: 7/5/08



*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

CAP INVESTMENTS LLC
HEARINGS # 05-67

LOCATION SKETCH
SCALE: 1" = 300'

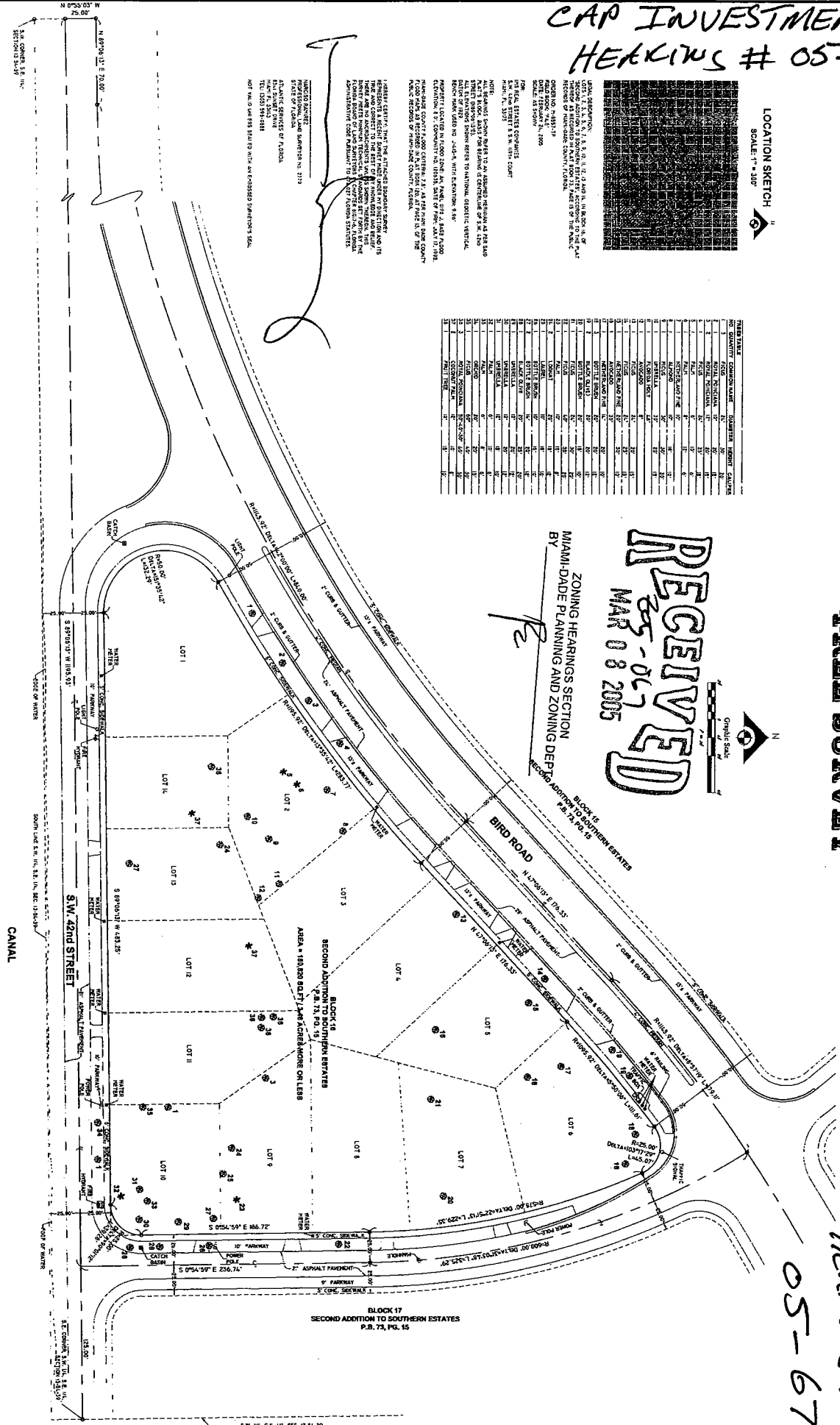


CAP INVESTMENTS TRACT TREE SURVEY

CAP INVESTMENTS LLC
Hearings # 05-67

NO.	QUANTITY	COMMODITY	DATE	REMARKS	CAUTION
1	1	ACRES	20	20	20
2	1	ACRES	20	20	20
3	1	ACRES	20	20	20
4	1	ACRES	20	20	20
5	1	ACRES	20	20	20
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40	1	ACRES	20	20	20
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45	1	ACRES	20	20	20
46	1	ACRES	20	20	20
47	1	ACRES	20	20	20
48	1	ACRES	20	20	20
49	1	ACRES	20	20	20
50	1	ACRES	20	20	20

RECEIVED
MAR 08 2005
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT



Zoning Legend

Parcel I

Net Land Area	150,573 Square Feet	3.45 Acres
	Required or Permitted	Provided
Maximum Lot Coverage	40% or 60,229.2 sq. ft.	33.35% or 20,098 sq. ft.
Floor Area Ratio	.40 (1 story)	1.385
Landscaped Open Space	25% or 15,057 sq. ft.	29% or 18,031 sq. ft.
Trees	28 per net acre or 97	100
Parking	at 1:300, 67 at 1:200, 101	107

Parcel II

Net Land Area	24,024 Square Feet	.55 Acres
	Required or Permitted	Provided
Maximum Lot Coverage	40% or 9,609.6 sq. ft.	21.49% or 5,167 sq. ft.
Floor Area Ratio	.40 (1 story)	2.149
Landscaped Open Space	25% or 6,006 sq. ft.	25% or 6,006 sq. ft.
Trees	28 per net acre or 15	15
Parking	at 1:300, 18 at 1:200, 26	27

Combined

Net Land Area	174,597 Square Feet	4 Acres
	Required or Permitted	Provided
Maximum Lot Coverage	40% or 69,838.3 sq. ft.	14.47% or 25,265 sq. ft.
Floor Area Ratio	.40 (1 story)	1.447
Landscaped Open Space	25% or 17,459.5 sq. ft.	27% or 24,037 sq. ft.
Trees	28 per net acre or 112	122
Parking	at 1:300, 85 at 1:200, 126	134

CANAL

07/28/05 - **Δ PLANNING & ZONING COMMENTS**

2

[illegible]

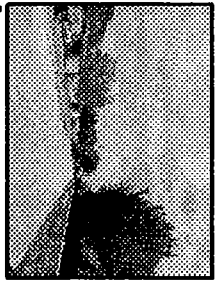
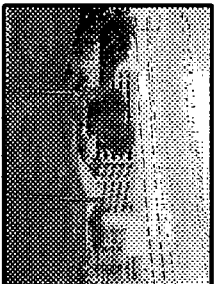
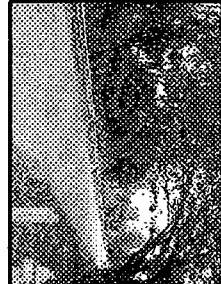
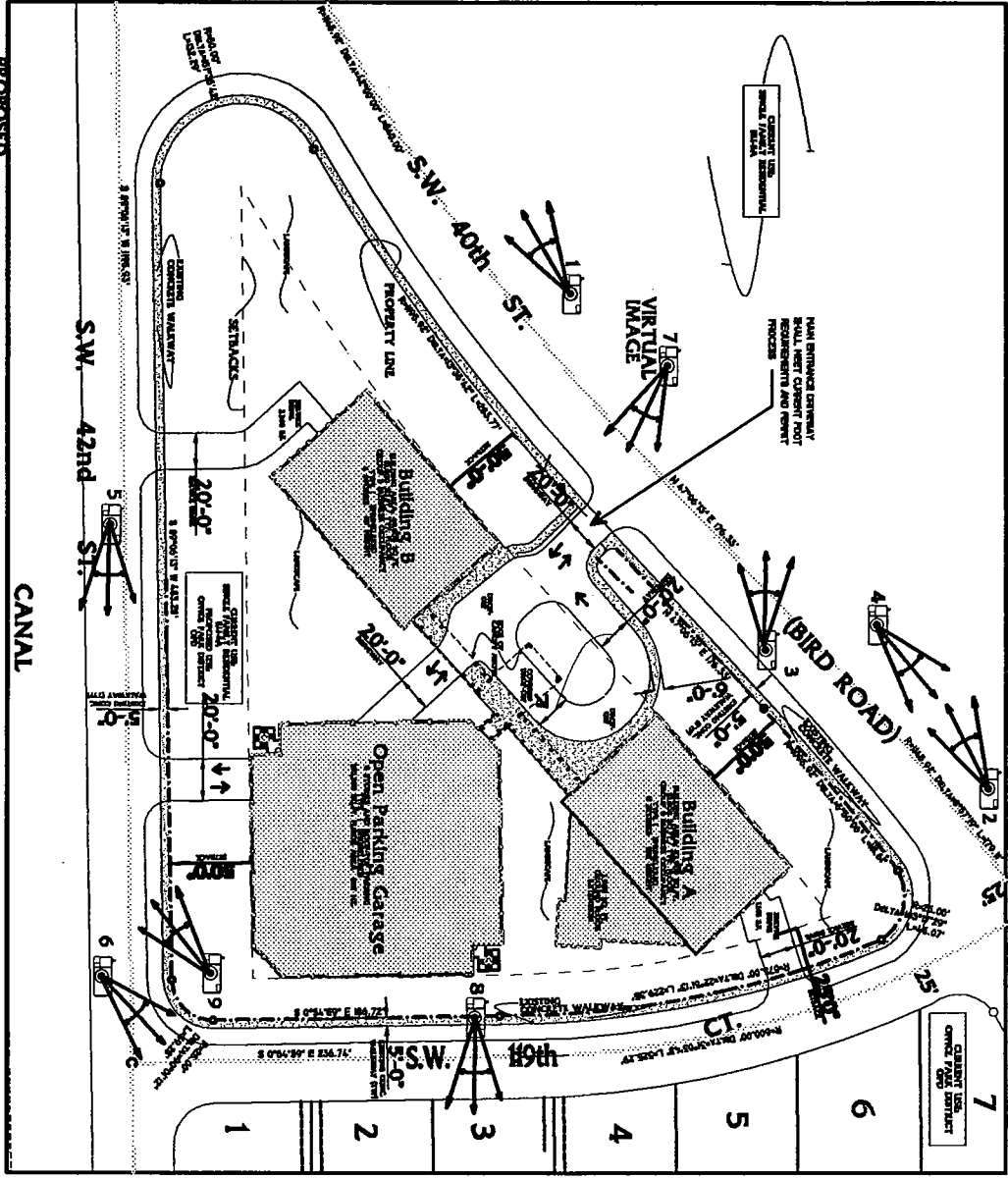
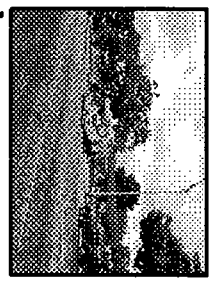
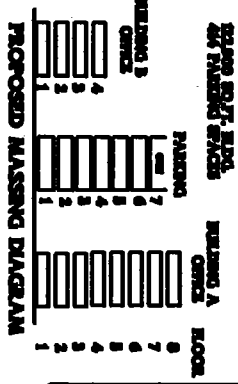
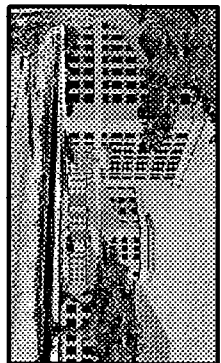
7060 SW 44TH DRIVE
TULSA, OKLA 74109
TEL: (903) 443-7400

HEALTH RECORDS UNIT

PROPOSED KENDALL MEDICAL PARK
 1. PROJECT NO. _____
 2. PROJECT NAME _____
 3. PROJECT LOCATION _____
 4. PROJECT OWNER _____
 5. PROJECT ARCHITECT _____
 6. PROJECT ENGINEER _____
 7. PROJECT DATE _____
 8. PROJECT STATUS _____
 9. PROJECT DESCRIPTION _____
 10. PROJECT CONTACT _____

PROPOSED KENDALL MEDICAL PARK

NO.	DESCRIPTION	DATE	BY	CHKD.
1	PROPOSED KENDALL MEDICAL PARK	10/1/00	J. L. LEE	J. L. LEE
2	PROPOSED KENDALL MEDICAL PARK	10/1/00	J. L. LEE	J. L. LEE
3	PROPOSED KENDALL MEDICAL PARK	10/1/00	J. L. LEE	J. L. LEE
4	PROPOSED KENDALL MEDICAL PARK	10/1/00	J. L. LEE	J. L. LEE
5	PROPOSED KENDALL MEDICAL PARK	10/1/00	J. L. LEE	J. L. LEE
6	PROPOSED KENDALL MEDICAL PARK	10/1/00	J. L. LEE	J. L. LEE
7	PROPOSED KENDALL MEDICAL PARK	10/1/00	J. L. LEE	J. L. LEE
8	PROPOSED KENDALL MEDICAL PARK	10/1/00	J. L. LEE	J. L. LEE
9	PROPOSED KENDALL MEDICAL PARK	10/1/00	J. L. LEE	J. L. LEE
10	PROPOSED KENDALL MEDICAL PARK	10/1/00	J. L. LEE	J. L. LEE

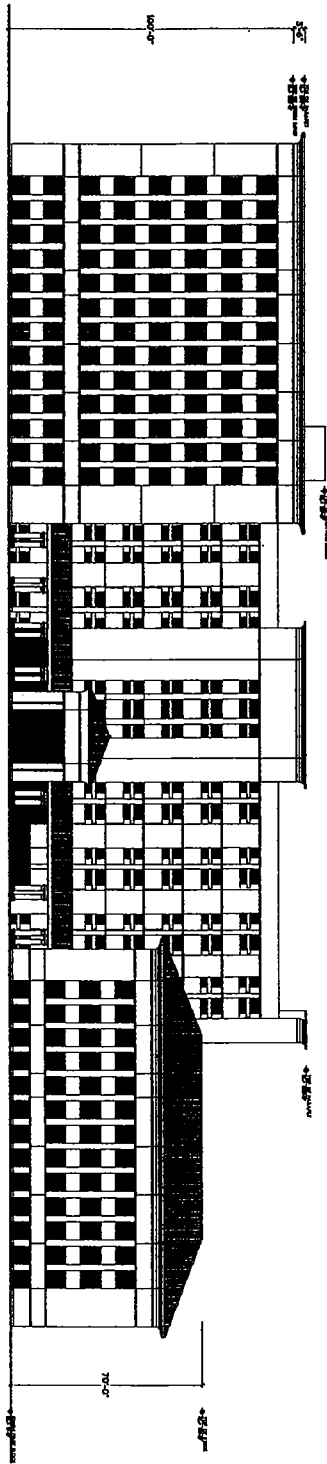


ZONING AND SITE PLAN REVIEW COMPLIANCE

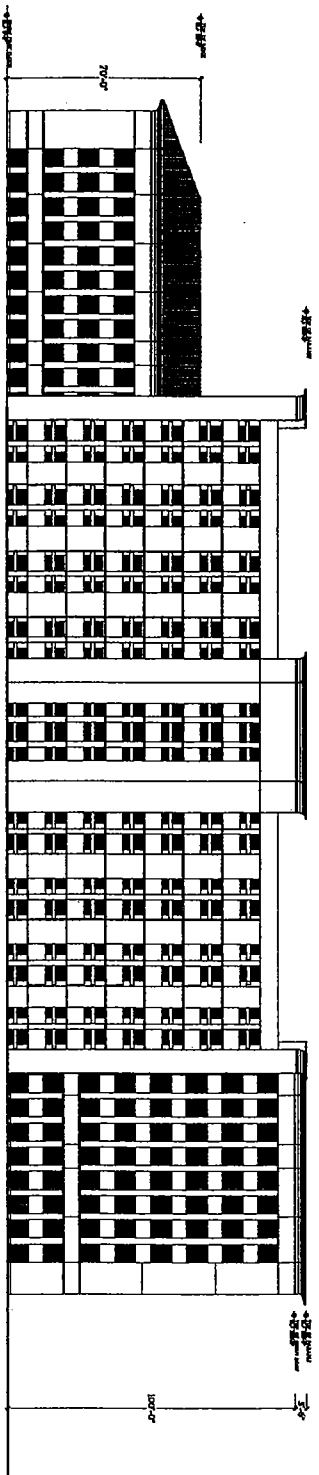
NAVYA
 10/1/00

KENDALL MEDICAL PARK
 PROPOSED BIRD ROAD FACILITY
 10/1/00

20505-502



BIRD ROAD ELEVATION
SCALE 1/8" = 1'-0"



REAR ELEVATION
SCALE 1/8" = 1'-0"

NAVYA
architects
1000 Rte. 1, Suite 100, Westborough, MA 01581
Tel: 508.336.1111 Fax: 508.336.1112
www.navyaarchitects.com

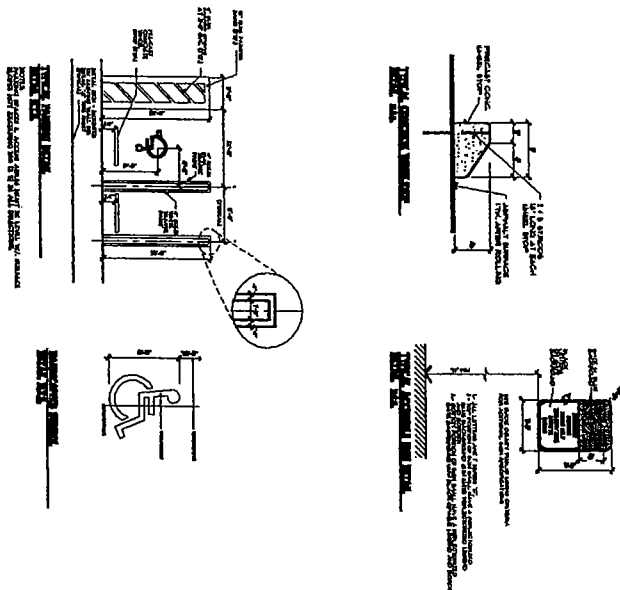
SITE FRONT ELEVATION
(REVISION #1, JULY 26, 2005)

KENDALL MEDICAL PARK
PROPOSED BIRD ROAD FACILITY
1000 Rte. 1, Suite 100, Westborough, MA 01581
Tel: 508.336.1111 Fax: 508.336.1112
www.navyaarchitects.com

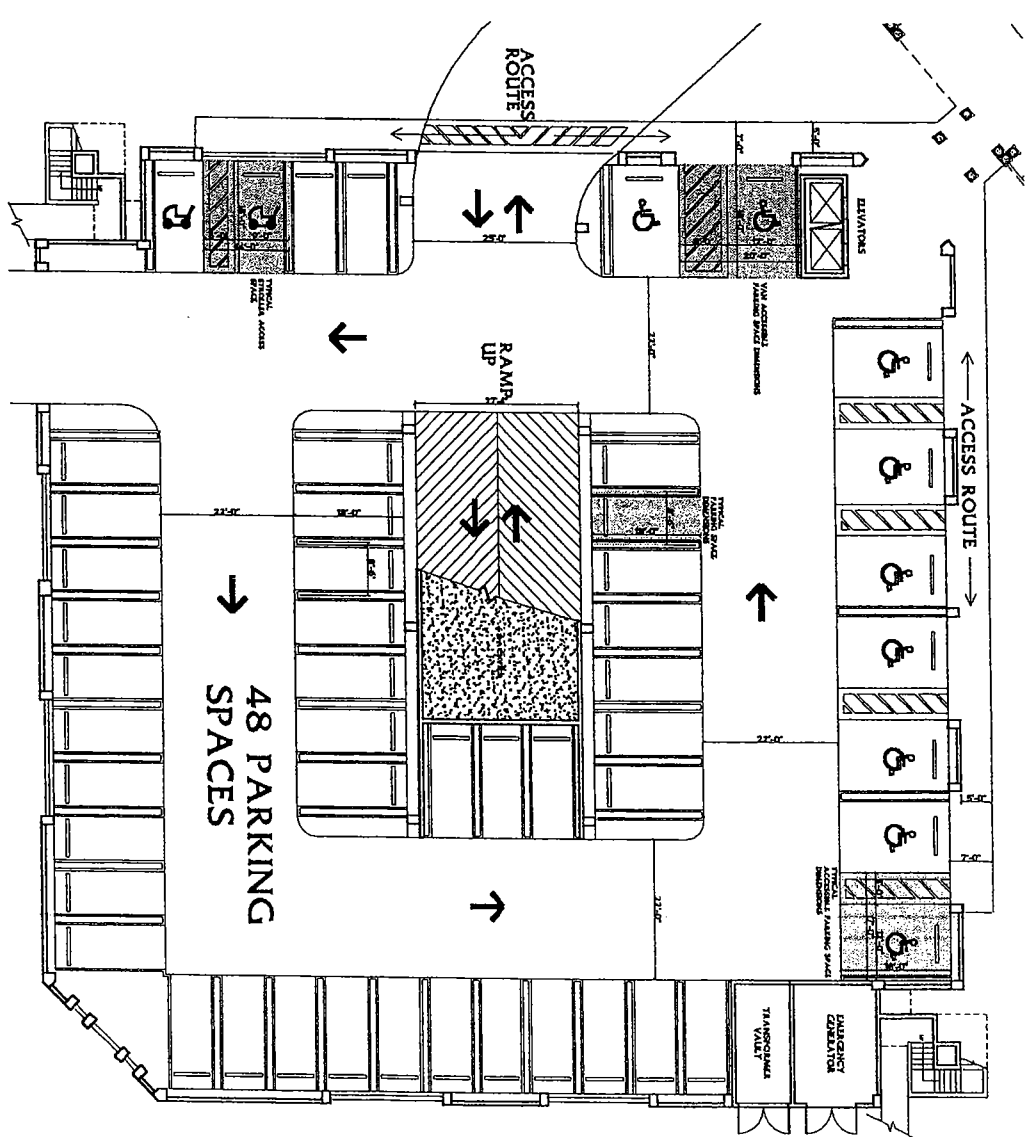
7/28/05
1047

160-501

TYPICAL
PARKING STALL DETAILS
SCALE: 1/8" = 1'-0"



PROPOSED PARKING GARAGE
FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

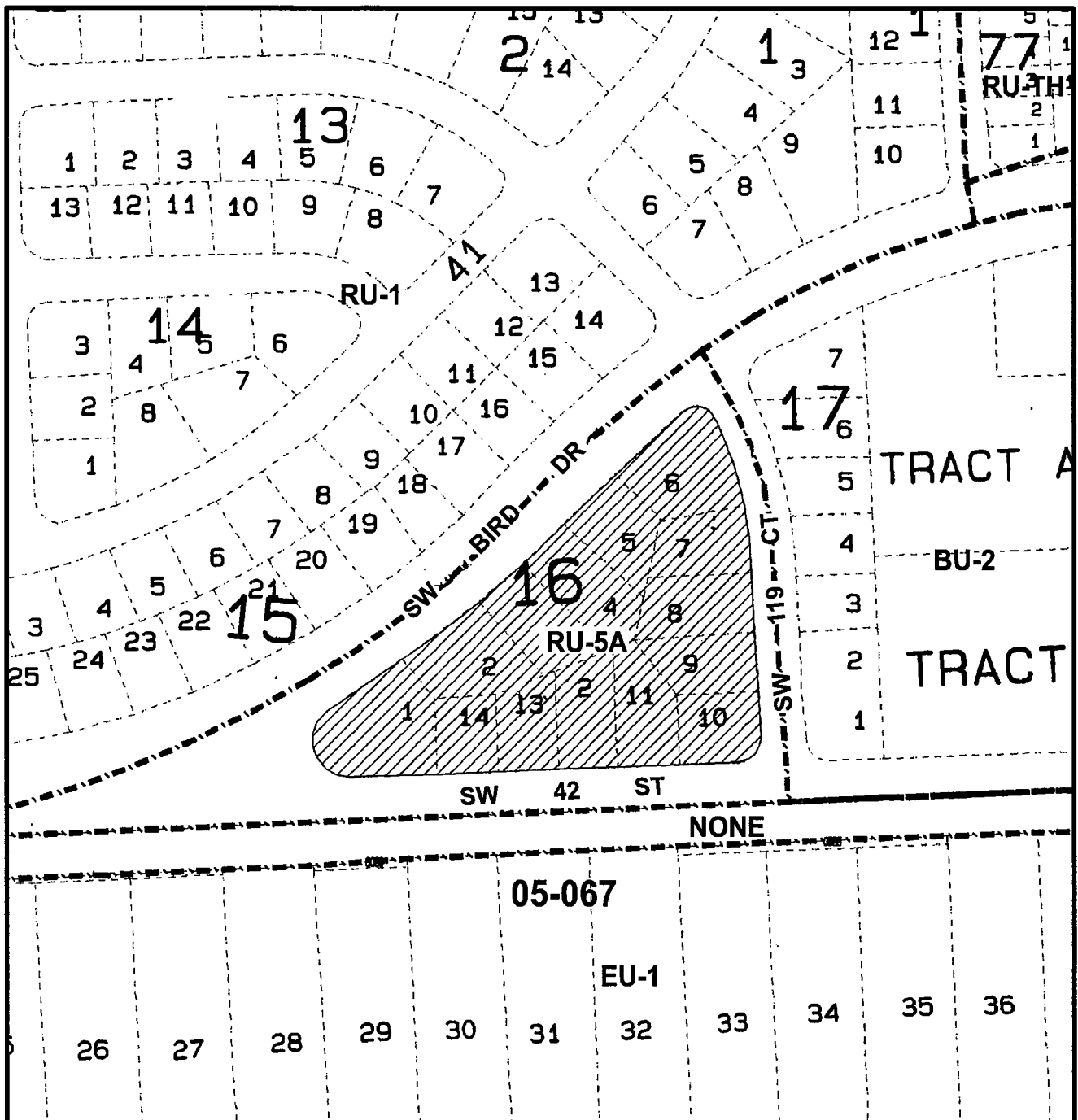


NAVYA
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TEL: (954) 561-1111
FAX: (954) 561-1112

PARKING GARAGE FIRST FLOOR PLAN
(REVISION #1: JULY 26, 2005)

KENDALL MEDICAL PARK
PROPOSED BIRD ROAD FACILITY
1800 SW 8th Street
Fort Lauderdale, FL 33304
TEL: (954) 561-1111
FAX: (954) 561-1112

7/28/05
17



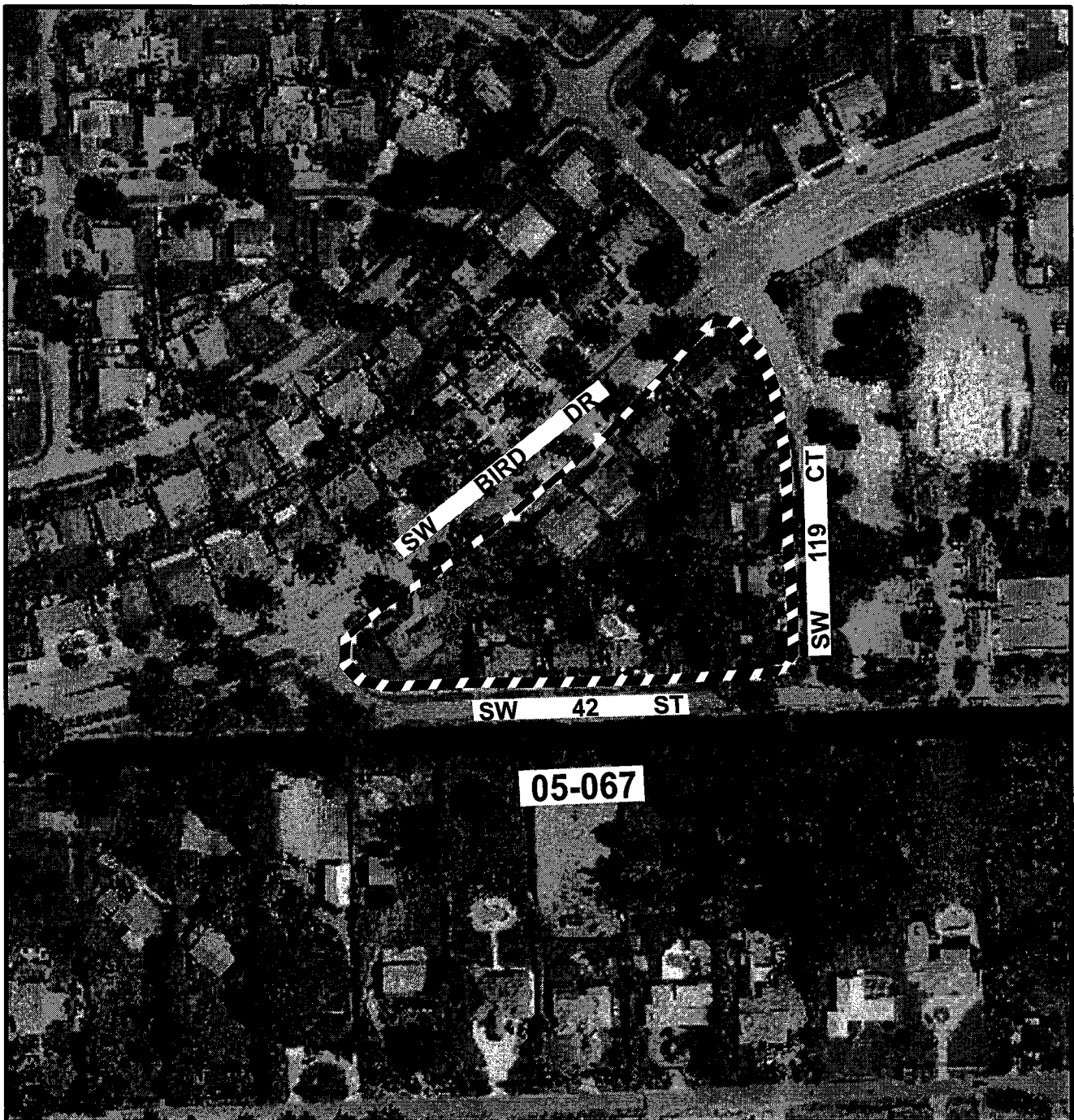
MIAMI-DADE COUNTY HEARING MAP

Section: 13 Township: 54 Range: 39
 Process Number: 05-067
 Applicant: CAP INV LLC.
 District Number: 10
 Zoning Board: C10
 Drafter: ALFREDO
 Scale: 1:200'



 SUBJECT PROPERTY





MIAMI-DADE COUNTY
AERIAL

Section: 13 Township: 54 Range: 39
Process Number: 05-067
Applicant: CAP INV LLC.
District Number: 10
Zoning Board: C10
Drafter: ALFREDO
Scale: NTS

